

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re: Brian S. Fahey

Debtor(s)

Case No. 10-21154-wch
Chapter 7

Brian S. Fahey,
Plaintiff,

v.

A.P. No. 12-01204-wch

Department of Revenue
Defendant

NOTICE OF APPEAL

Notice is hereby given that the Plaintiff/Debtor, Brian S. Fahey, in the above-captioned Adversarial Proceeding, A.P. No. 12-01204-wch brought with respect to Plaintiff Chapter 7 Case No. 10-21154-wch hereby appeals pursuant to Federal Rules of Bankruptcy Procedure, Rule 8001(a), to the Federal District Court of Boston, MA from Final Judgment entered for the Defendant on June 11, 2013 on Motion for Summary Judgment granted by Judge Hillman on or about June 11, 2013 of the U.S. Bankruptcy Court District of Massachusetts Eastern Division; as reasons therefore, the U.S. Bankruptcy Court District of Massachusetts Eastern Division Judge erred on the law in his decision granting Defendant's Summary Judgment on with respect to Counts I, II and III of the Plaintiff/Debtor's Complaint all Counts and the Defendant's first Counterclaim.

Respectfully submitted,

Brian S. Fahey,
By his attorney,

/s/ Andrew L. Barrett

Andrew L. Barrett
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Date: June 25, 2013

CERTIFICATE OF SERVICE

I, Andrew L. Barrett, Esq., Law Office of Andrew L. Barrett, P.C., attorney for the Debtor, hereby certify that on June 25, 2013, I served a true copy of the above on the following individual electronically via ECF:

Celine E. Jackson, Esq.
Counsel to the Commissioner
Massachusetts Department of Revenue
Litigation Bureau
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/s/Andrew L. Barrett